



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 235337-9

In re patent application of

Cesar COMPADRE, *et al.*

Group Art Unit: 1615

Serial No. 09/494,374

Examiner: T. Ware

Filed: January 31, 2000

For: A CONCENTRATED, NON-FOAMING SOLUTION OF QUATERNARY
AMMONIUM COMPOUNDS AND METHODS OF USE

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 § 1.116

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the final rejection dated January 30, 2002, and is filed within the statutory period. It is believed that no fee is due but should such a fee be due, please consider this paragraph as the petition for the extension of time and an authorization to withdraw the appropriate fee under 37 CFR §§ 1.16 to 1.21 from PTO deposit account No. 19-0741.

Kindly amend the claims as follows:

IN THE CLAIMS:

Please cancel claims 1-30 and 47-51 without prejudice or disclaimer.

REMARKS

Upon entry of this amendment, claims 31-35 and 37-39 are pending. Claims 1-30 and 47-51 are canceled without prejudice or disclaimer. Applicants reserve the right to file one or more continuing applications on any canceled subject matter.

Rejection under 35 U.S.C. § 102(b)

Smith (U.S. 5,414,124) ("Smith")

Claims 1-13 are rejected as allegedly being anticipated by Smith. The Examiner alleges that Smith discloses germicidal compositions comprising about 50-80% of a quaternary ammonium compound in propylene glycol and water.

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